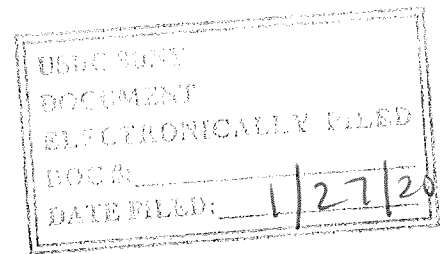


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
ZIARE CORWELL,

Plaintiff,

v.

WESTCHESTER COUNTY; ASSISTANT  
WARDEN LAFONDA SPAULDING;  
OFFICER ADAMES; OFFICER BELTRAN;  
OFFICER CARDILLO; OFFICER COZIER;  
SERGEANT DAVIS; CORRECTIONAL  
OFFICER MELENDEZ; and CORRECTIONAL  
OFFICER SCHILLIRO,

Defendants.  
-----X

**ORDER**

19 CV 3049 (VB)

Plaintiff, proceeding pro se and in forma pauperis, brings this civil rights action against defendants Westchester County, Assistant Warden LaFonda Spaulding, Officer Adames, Officer Beltran, Officer Cardillo, Officer Cozier, Sergeant Davis, Correctional Officer ("C.O.") Melendez, and C.O. Schilliro. (Doc. #2).

On December 2, 2019, defendants moved to dismiss plaintiff's amended complaint, and mailed to plaintiff, who is proceeding pro se and in forma pauperis, copies of the motion and supporting documents. (Docs. ##23-24).

Plaintiff's opposition to the motion was due December 19, 2019. See Fed. R. Civ. P. 6(d); Local Civil Rule 6.1(b). Plaintiff failed to oppose the motion by December 19 or seek an extension of time in which to do so.

On December 27, 2019, the Court sua sponte extended to January 17, 2020, plaintiff's time to oppose the motion to dismiss. (Doc. #32). The December 27 Order warned plaintiff, in bold and underlined font, that if plaintiff failed to respond to the motion by January 17, the motion will be deemed fully submitted and unopposed. (Id.).

To date, plaintiff has failed to file an opposition to the motion or seek an extension of time in which to do so.

Accordingly, the Court deems the motion fully submitted and unopposed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk is directed to mail a copy of this Order to plaintiff at the address on the docket.

Dated: January 27, 2020  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti  
United States District Judge